

**REMARKS/ARGUMENTS**

Reconsideration and allowance of this application are respectfully requested. Currently, claims 1 and 3-10 are pending in this application.

**Rejections under 35 U.S.C. §103:**

Claims 1, 3 and 7 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Bernstein et al. (U.S. '726) in view of Bernstein (U.S. '316), and further in view of Andersson et al. (U.S. '208). Claims 8 and 10 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Bernstein, Bernstein '316, and further in view of Ali et al. (U.S. '506). Claim 2 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Bernstein, Bernstein '316 and Andersson, and further in view of Porter et al. (U.S. '737). Applicant traverses these rejections.

In order to establish a *prima facie* case of obviousness, all of the claims limitations must be taught or suggested by the prior art. None of the above-noted combinations of references (e.g., the three-way combination of Bernstein '726, Bernstein '316 and Andersson; the three-way combination of Bernstein '726, Bernstein '316 and Ali; and the four-way combination of Bernstein '726, Bernstein '316, Andersson and Porter) teaches or suggests all of the limitations of independent claim 1 or 8. For example, each of the above-noted combinations of references fails to teach or suggest "storing a plurality of media file metadata items, one or more of said media file metadata items containing reference(s) to one or more other media file metadata items, whose metadata is about a media file whose content has been judged by a human to be semantically-related to the content of the first media file," as required by independent claim 1 and its dependents. Each of the above-noted combinations of references also fails to teach or suggest "storing a plurality of media file metadata items in said second data store, together with

relationship data comprising reference(s) to one or more related media file metadata items whose metadata is about a media file whose content has been judged by a human to be semantically related to said media file metadata item,” as required by independent claim 8 and its dependents.

The above-noted claim limitations are supported by, for example, page 5, line 25 to page 6, line 17 of the original specification. The inventions of independent claims 1 and 8 relate to using previously-captured human intelligence about which pieces of content are semantically related to one another.

The limitations of now-canceled dependent claim 2 have largely been incorporated into independent claim 1. Similar comments apply to independent claim 8.

With respect to claim 2 (the limitations of which are now incorporated largely into independent claims 1 and 8), section 4 (pages 6-7 of the Office Action) admits that “the combination of Bernstein, Bernstein ('316) and Andersson do not explicitly disclose ‘Computer apparatus according to claim 1 wherein each of said data items contains metadata about a media file, said metadata including said reference(s), each of which reference(s) refers, directly or indirectly, to a related metadata item whose metadata is about a media file whose content is semantically-related to the content of the first media file.’” Accordingly, the Office Action admits that the three-way combination of Bernstein '726, Bernstein '316 and Andersson fails to teach the above-noted limitations now required by independent claims 1 and 8. Similar comments apply to the three-way combination of Bernstein '726, Bernstein '316 and Ali.

Porter fails to resolve the admitted deficiencies of the three-way combination of Bernstein '726, Bernstein '316 and Andersson. For example, paragraph [0074] (specifically identified by the Office Action) of Porter merely discloses sorting and grouping media metadata describing the semantics of content into broad categories such as who, what, where and when.

For example, a full-text relevancy ranker 80 in Porter's system semantically associates a user-entered term "Mozart" with the who category and thus looks for "Mozart" in a field designated as WhoCreation. Similarly, Porter's full-text relevancy ranker 80 may recognize a user-entered search query term "Magic Flute" as a music composition and semantically associate that term with the what category, and thus looks for it in the title field. However, Porter fails to teach or suggest a media file metadata item containing a reference to another media file metadata item whose metadata is about a media file whose content has been judged by a human user to be semantically related to the content of a first media file. Accordingly, even if the teachings of Porter were combined with the above-noted three-way combinations of references, the combinations would not have taught or suggested all of the limitations required by independent claims 1 and 8.

In short, none of cited references teach or suggest metadata including one or more reference(s) which capture a semantic relationship between what is portrayed in one media file and what is portrayed in a second media filed – as judged by a human user. In case for example where two media items (e.g., film versions of "The Tempest" and "Othello") are both labelled with the same attribute (e.g., Author = Shakespeare), then while that metadata might show that the two media items are related, it does not follow that the two media items are semantically related, and it certainly does not follow that one includes a reference to the other.

Claim 4 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Bernstein, Bernstein '316 and Andersson, and further in view of Zwiegincew et al. (U.S. '968, hereinafter "Zwiegincew"). Claims 5-6 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Bernstein, Bernstein '316 and Andersson, and further in view of Mangat et al. (U.S. '799, hereinafter "Mangat"). Claim 9 was rejected under 35 U.S.C. §103(a) as

allegedly being unpatentable over Bernstein, Bernstein '316 and Ali, and further in view of Porter. Applicant traverses these rejections.

Each of these claims depends from base independent claim 1 or 8. None of the fourth references (Zwieginczew or Mangat) cited in these combinations resolve the deficiencies of the three-way combinations with respect to base independent claims 1 and 8. Accordingly, Applicant respectfully requests that these rejections under 35 U.S.C. §103 be withdrawn.

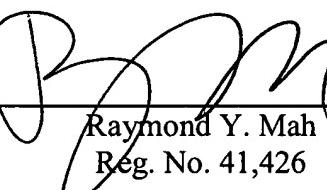
**Conclusion:**

Applicant believes that this entire application is in condition for allowance and respectfully requests a notice to this effect. If the Examiner has any questions or believes that an interview would further prosecution of this application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_

  
Raymond Y. Mah  
Reg. No. 41,426

RYM:dmw  
901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100